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*DS 3629
gmu*



Alexandra Allison
Alexandra Allison

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Daniel F. Williams, et al.
Application No. : 09/820,377
Filed : March 27, 2001
Title : Apparatus, Systems and Methods For
Online, Multi-Parcel, Multi-Carrier, Multi-
Service Enterprise Parcel Shipping
Management
Technology Center: 3600
Grp./Div. : 3629
Examiner : Jamisue A. Webb
Patent Appeals
Specialist : Timothy Cole
Docket No. : PSTM0041/MRK

**TRANSMITTAL LETTER
FOR RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

140 S. Lake Ave., Suite 312
Pasadena, CA 91101-4710
December 12, 2006

Commissioner:

Enclosed are the following:


1. Response to Notification of Non-Compliant Appeal Brief;
2. Copy of Appeal Brief Transmittal (as an attachment to the Response);
3. Copy of date-stamped Return Postcard for Appeal Brief (as an attachment to the Response);
4. Copy of Appeal Brief Evidence Appendix, pages 51-156 (as an attachment to the Response);
5. Copy of Appeal Brief Related Proceedings Appendix, pages 157-163 (as an attachment to the Response);
6. Return post card.

It is respectfully submitted that the enclosed Response to Notification of Non-Compliant Appeal Brief and the copies of the Evidence Appendix and Related Proceedings sections to the Appeal Brief attached thereto, are timely filed within the one-month period set in the Notification of Non-Compliant Appeal Brief (dated

November 14, 2006), because the Response is filed before the expiration of December 14, 2006; no Petition for an Extension of Time is needed.

Even so, the Commissioner is hereby authorized, pursuant to 37 CFR 1.136(a)(3), to treat any concurrent or future reply or correspondence for the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a constructive petition for extension of time for the appropriate length of time. The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17, including any required extension fees, which may be required during the **pendency** of this application, to Deposit Account No. 501574. Please show our docket number with any charge or credit to our Deposit Account.

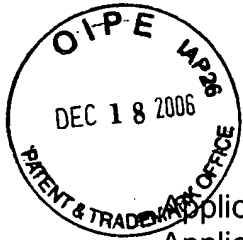
Respectfully submitted,
KHORSANDI PATENT LAW GROUP, ALC

By 
Marilyn R. Khorsandi
Reg. No. 45,744
Customer No. 29524
626/796-2856

MRK/aa
Enclosures

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 12, 2006.

Alexandra Allison
Alexandra Allison



BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Application No. : 09/820,377
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Online, Multi-Parcel, Multi-Carrier, Multi-
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Management
Technology Center: 3600
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Docket No. : PSTM0041/MRK

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

140 S. Lake Ave., Suite 312
Pasadena, CA 91101-4710
December 12, 2006

Commissioner:

The telephone interview on December 12, 2006 with Patent Appeal Specialist Examiner Timothy Cole is gratefully acknowledged.

The Notification of Non-Compliant Appeal Brief dated November 14, 2006 indicated that the Related Proceedings heading and section were missing from the Appeal Brief.

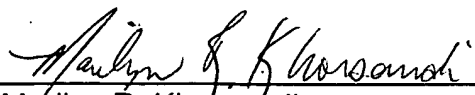
In the December 12, 2006 telephone interview with Examiner Cole, the undersigned attorney of record for the application (Marilyn R. Khorsandi) explained that the Related Proceedings section heading and contents were filed with the Appeal Brief and that the Related Proceedings section heading began at page 157 of the Appeal Brief and continued through page 163 Appeal Brief. A copy of the transmittal for the Appeal Brief and the return postcard for the Appeal Brief, both showing transmittal of the entire Related Proceedings section, are respectfully attached hereto.

During the December 12, 2006 telephone interview, Examiner Cole described checking the online, scanned Appeal Brief and reported that the last page of the Appeal Brief that was available online was page 51, the Evidence Appendix heading page of the Appeal Brief. The remainder of the Evidence section as originally filed with the Appeal Brief continued through page 156 of the Appeal Brief. It is respectfully submitted that the enclosed copy of the transmittal for the Appeal Brief and the return postcard for the Appeal Brief, both show transmittal of the entire Evidence Appendix section.

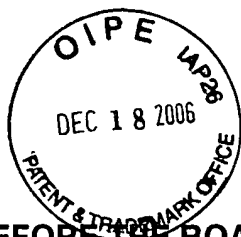
During the December 12, 2006 telephone interview, Examiner Cole suggested that perhaps the scanning process for the Appeal Brief had resulted in the missing Evidence Appendix and Related Proceedings Appendix sections; Examiner Cole authorized re-submission of the missing Evidence Appendix and Related Proceedings Appendix sections rather than requiring re-submission of the entire Appeal Brief. Examiner Cole's authorization to re-submit only the missing sections is gratefully acknowledged.

It is respectfully submitted that the Evidence Appendix and Related Proceedings Appendix sections of the Appeal Brief are missing due to no fault of Applicant; according to Examiner Cole's authorization to re-submit the missing Evidence Appendix and Related Proceedings Appendix sections, copies of the Evidence Appendix and Related Proceedings Appendix sections of the Appeal Brief (beginning with page 51 and continuing through page 163 (a total of 113 pages)) are respectfully attached hereto.

Respectfully submitted,
KHORSANDI PATENT LAW GROUP, ALC

By 
Marilyn R. Khorsandi
Reg. No. 45,744
Customer No. 29524
626/796-2856

MRK/aa



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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Daniel F. Williams, et al.
Application No. : 09/820,377
Filed : March 27, 2001
Title : Apparatus, Systems and Methods For Online, Multi-Parcel, Multi-Carrier, Multi-Service Enterprise Parcel Shipping Management
Technology Center: 3600
Grp./Div. : 3629
Examiner : Jamisue A. Webb
Docket No. : PSTM0041/MRK

COPY

APPEAL BRIEF TRANSMITTAL LETTER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

140 S. Lake Ave., Suite 312
Pasadena, CA 91101-4710
October 30, 2006

Commissioner:

Enclosed are the following:

1. Check Number 2205 for the amount of \$500 to cover the Appeal Brief filing fee;
2. FY 2006 Fee Transmittal (in duplicate);
3. Statement Under 37 C.F.R. §3.73(b) by Real Party in Interest STAMPS.COM INC.;
4. Statement Under 37 C.F.R. §3.73(b) by Real Party in Interest ISHIP INC.;
5. Appeal Brief, including Claims Appendix, Evidence Appendix and Related Proceedings Appendix, (Total 163 pages); and
6. Return post card.

The requisite fee set forth in 37 C.F.R. §41.20(b)(1) for filing a Notice of Appeal was presented with the filing of the Notice of Appeal which is recorded on the U.S. Patent and Trademark Office PAIR System as having been received on September 1, 2006.

COPY

The requisite fee set forth in 37 C.F.R. §41.20(b)(2) for filing this Appeal Brief is presented herewith.

It is respectfully submitted that the Enclosed Appeal Brief is timely filed because it is filed before the expiration of the two-month period from the date of filing the Notice of Appeal, namely, prior to the expiration of Monday, October 30, 2006, which is the first business day following Saturday, October 28, 2006, which is the two-month date following the August 28, 2006 filing date of the Notice of Appeal.

Even so, the Commissioner is hereby authorized, pursuant to 37 CFR 1.136(a)(3), to treat any concurrent or future reply or correspondence for the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a constructive petition for extension of time for the appropriate length of time. The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17, including any required extension fees, which may be required during the **pendency** of this application, to Deposit Account No. 501574. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,
KHORSANDI PATENT LAW GROUP, ALC

By Marilyn R. Khorsandi
Marilyn R. Khorsandi
Reg. No. 45,744
Customer No. 29524
626/796-2856

MRK/aa
Enclosures



Attorney Docket No. PSTM0041/MRK

Title: Apparatus, Systems and Methods For Online, Multi-Parcel,
Multi-Carrier, Multi-Service Enterprise Parcel Shipping
Management

Date Sent – October 30, 2006

Via Express Mail No. ED 329501240 US

Documents Sent:

- ☒ Appeal Brief Transmittal Letter (in duplicate)
- ☒ Check No. 2205 for Appeal Brief fee;
- ☒ Fee Transmittal FY.2006 (in duplicate);
- ☒ Statement Under 37 C.F.R. §3.73(b) by Real Party in Interest STAMPS.COM INC.;
- ☒ Statement Under 37 C.F.R. §3.73(b) by Real Party in Interest ISHIP INC.;
- ☒ Appeal Brief, including Claims Appendix, Evidence Appendix and Related Proceedings Appendix, (Total 163 pages);
- ☒ Return Post Card



COPY

Contact Person: Marilyn R. Khorsandi @ (626) 796-2856
Khorsandi Patent Law Group, ALC

AVAILABLE COPY

Application Serial No. 09/820,377
Appeal Brief

EVIDENCE APPENDIX (37 C.F.R. §41.37(c)(1)(ix) heading)

A copy of Gendreau (U.S. Patent Application Publication No. US 2001/0034608; "Gendreau") as relied on in the final Office Action dated May 26, 2006 is attached hereto.

A copy of Stefik et al. (U.S. Patent Application Publication No. US 2003/0115144; "Stefik") as relied on in the final Office Action dated May 26, 2006 is attached hereto.

A copy of Kara (U.S. Patent No. 6,233,568; "Kara") as relied on in the final Office Action dated May 26, 2006 is attached hereto.

Application Serial No. 09/820,377
Appeal Brief

RELATED PROCEEDINGS APPENDIX (37 C.F.R. §41.37(c)(1)(xi) heading)



1. A copy of the Notice of Panel Decision from Pre-Appeal Brief Review indicating Application No. 09/684,861 remains on appeal, is attached hereto.
2. A copy of the Notice of Panel Decision from Pre-Appeal Brief Review indicating Application No. 09/680,654 remains on appeal, is attached hereto.
3. A copy of the Notice of Panel Decision from Pre-Appeal Brief Review, dated July 21, 2006, indicating the present application (Application No. 09/685,077) remains on appeal, is attached hereto.



UNITED STATES PATENT AND TRADEMARK OFFICE

Dec. 18/06

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,861	10/06/2000	Paul Bilibin	PSTM0024/MRK	2827

29524 7590 04/18/2006

KHORSANDI PATENT LAW GROUP, A.L.C.
140 S. LAKE., SUITE 312
PASADENA, CA 91101-4710

EXAMINER


VAN DOREN, BETH

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Application Number. 	Application/Control No. 09/684,861	Applicant(s)/Patent under Reexamination BILIBIN ET AL.	
	Beth Van Doren	Art Unit 3623	
Document Code - AP.PRE.DEC			

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 3/20/06.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-13 & 15-17 & 19-23.

Claim(s) withdrawn from consideration: _____.

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) Beth Van Doren *lwd*

(3) Tariq Hafiz *[Signature]*

(2) Susanna Diaz *[Signature]*

(4) _____.




UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,654	10/06/2000	David Allison Bennett	PSTM0015/MRK	9943
29524	7590	05/19/2006	EXAMINER	
KHORSANDI PATENT LAW GROUP, A.L.C. 140 S. LAKE., SUITE 312 PASADENA, CA 91101-4710			WEBB, JAMISUE A	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Application Number 	Application/Control No. 09/680,654 John G. Weiss	Applicant(s)/Patent under Examination BENNETT ET AL. Art Unit 3629
Document Code - AP.PRE.DEC		

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 5/2/06.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-21, 26-52 and 57-70.

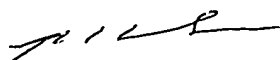
Claim(s) withdrawn from consideration: _____

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

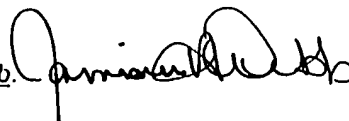
4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) John G. Weiss



(3) Jami Webb



(2) Dean Nguyen



(4) _____



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,077	10/06/2000	Paul Bilibin	PSTM0020/MRK/STM	3148

29524 7590 07/21/2006

KHORSANDI PATENT LAW GROUP, A.L.C.
140 S. LAKE., SUITE 312
PASADENA, CA 91101-4710

EXAMINER


WEBB, JAMISUE A

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Application Number 	Application/Control No. 09/685,077 John G. Weiss	Applicant(s)/Patent under Reexamination BILIBIN ET AL. Art Unit 3629
Document Code - AP.PRE.DEC		

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 6/15/06.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

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2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:
 Claim(s) allowed: _____
 Claim(s) objected to: _____
 Claim(s) rejected: 1-7, 58-83.
 Claim(s) withdrawn from consideration: _____

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) John G. Weiss

(2) Dean Nguyen

(3) Jamius Webb

(4) _____